

REMARKS

Claims 1-6 and 9-37 remain in the present application.

103 Rejections

The present Office Action indicates Claims 1-7, 9-17, 26-29 and 31 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Cowan et al. (US Patent No. 6,115,743) in view of Chin et al. (US Patent No. 6,456,306). Applicant respectfully asserts that the present invention is neither shown nor suggested by the Cowan reference and the Chin reference, alone or together. In addition, Applicant respectfully asserts there is no motivation or suggestion to combine the Cowan and Chin reference to teach the present claimed invention.

Applicant respectfully submits that the Cowan reference fails to teach or suggest a system or method as recited in independent Claims 1, 12, 17, 26 and 31. Applicant respectfully submits that the Cowan reference fails to teach or suggest parsing gathered communication device information. For example, amended Claim 1 recites in part (emphasis added):

parsing said gathered communication device information automatically,
including identifying portions of said communication device information
and correlating said portions of said communication device information to
an operation or characteristic of a device;

Applicant respectfully submit that the Cowan reference does not teach or suggest parsing gathered communication device information. Applicant respectfully

asserts that to the extent the Cowan reference may teach communication of commands and data, the Cowan reference teaches away from the present claimed parsing by indicting the commands and data generation requires significant user intervention [Col. 1 lines 28-35, Col. 2 lines 44-58, Col. 3 line 64 –Col. 4 line 11, Col. 5 lines 49-60, Col. 6 lines 30-35, Col. 7 lines 1-10, Col. 9 lines 23-67 and columns 14 – 16].

The present Office Action alleges that the Cowan reference shows parsing the gathered device information including identifying portions of the communication device information and correlating the portions of the communication device information to an operation or characteristic of a network communication device in figures 11 and 16, Col. 10 lines 12 – 22, Col. 12 lines 33 – 46, and Col. 13 lines 18 – 32. Applicant respectfully asserts that to the extent the Cowan reference may mention a user can monitor restoration devices [Col. 10 lines 12 – 22], the Cowan reference does not teach parsing gathered communication device information automatically as claimed in the present application. Applicant also respectfully asserts that to the extent the Cowan reference may mention allowing a user to select various maintenance functions [Col. 10 lines 12 – 22], the Cowan reference does not teach parsing gathered communication device information automatically as claimed in the present application. Applicant respectfully asserts that to the extent the Cowan reference may mention a user browses and configure parameters [Col. 13 lines 18 -32], again the Cowan reference does not teach parsing gathered communication device information automatically as claimed in the present application.

Applicant respectfully submits that the Cowan reference fails to teach or suggest analyzing characteristics and operations of said network communication device as

claimed in the present application. Applicant respectfully asserts that to the extent the Cowan reference may teach fault analysis to detect network outages [Col.7 lines 1 – 10], the Cowan reference does not teach analyzing the characteristic and operations of the network communication device, including configuration, performance or functionality characteristics. In addition, Applicant respectfully asserts the Cowan reference teaches away from the present claimed analyzing the characteristics and operations of a network device by indicting the user sends commands and data implying the user does the analysis (abstract, col. lines 11-67, col. 3 line 64 – col. 5 line 56, col. 6 lines 30-67, col. 7 lines 1-10, col. 9 line 48 – col. 10 line 22, col. 10 line 65 –col. 11 line 58, col. 12 line 9 – col. 13 line 54, col. 14 line 29 – col. 15 line 9 and col. 16 lines 26-47).

In addition, Applicant respectfully asserts that the Cowan reference does not teach or suggest parsing and analyzing configuration, performance or functionality characteristic. Applicant respectfully asserts the Chin reference does not overcome these and other shortcomings of the Cowan reference. The present Office Action alleges the Chin reference teaches a method and apparatus for displaying health status of network devices [Abstract] and discloses configuration, performance and fault information. Applicant respectfully asserts to the extent the Chin reference may mention displaying health status and a network manager to invoke actions such as configuration, performance fault and security management tasks, the Cowan reference does not teach parsing and analyzing characteristics and operations of said network communications device automatically, including configuration, performance or functionality characteristics, as claimed in the present application.

Applicant respectfully asserts that claims 2 – 11, 13 – 16, 27 – 30, 32 – 37 are allowable as depending from allowable independent claims 1, 12, 26 and 30 respectively.

Regarding Claims 5 and 29, the present Office Action alleges the Cowan reference teaches constructing queries by issuing protocol commands formatted in the appropriate syntax for the communication device. To the extent the Cowan reference may mention sending control signals [Col. 4 line 61 to Col. 5 line 19], Applicant respectfully asserts the Cowan reference does not teach automatically constructing queries by issuing protocol commands formatted in the appropriate syntax for said communication device as claimed in the present application.

Regarding Claim 6, the present Office Action alleges the Cowan reference teaches analyzing the performance of the communication device. To the extent the Cowan reference may mention the performance option when selected provides current and historical performance data on NIFTE processes [Col. 13 lines 8 – 12], Applicant respectfully asserts the Cowan reference does not teach analyzing the performance of the communication device as claimed in the present application.

Regarding Claims 9 – 11 the present Office Action indicates Chin teaches discloses configuration, performance and fault information. Applicant respectfully asserts to the extent the Chin reference may mention displaying health status and a network manager to invoke actions such as configuration, performance fault and security management tasks, the Cowan reference does not teach the invention as claimed in Claims 9 – 11. Applicant respectfully asserts Chin does not teach an analysis

process utilizes an intelligent backend to analyze parsed information as recited in Claim 9. Applicant respectfully asserts Chin does not teach parsed communication device information is compared to values included in an expert network audit database of an intelligent backend as recited in Claim 10. Applicant respectfully asserts Chin does not teach values included in the intelligent backend include thresholds parameters that indicate acceptable configuration, performance and functionality as recited in Claim 11.

The present Office Action indicates Claims 18-25, 30 and 32-37 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Cowan et al. (US Patent No. 6,115,743) in view of Tonelli et al (US Patent No. 6,229,540). Applicant respectfully asserts that the present invention is neither shown nor suggested by the Cowan, the Chin, and/or the Tonelli reference, alone or together. In addition, Applicant respectfully asserts there is no motivation or suggestion to combine the Cowan, Chin and/or Tonelli references to teach the present invention.

Regarding claims 18-23 and 32-36, the present Office Action acknowledges that the Cowan reference in view of Chin fails to show using net rules. Applicant respectfully reasserts that even if the present Office Action indication that Cowan, Chin and Tonelli references teach an audit tool that may interact with different cards manufactured by different vendors is correct, the Cowan, Chin and Tonelli references do not teach determining the characteristics of a communication device, comparing the results to a set of established net rules and identifying net rule exceptions. Applicant also respectfully asserts that to the extent the Tonelli reference may mention a rules engine, the rules engine is directed to verifying a connection validity to prevent a user from making invalid connections [Col.4 lines 50-58] and not determining the device

characteristics and exceptions indicated by comparing communication device characteristics to a set of established net rules.

The present Office Action indicates that Tonelli discloses that device icons correspond to intelligent objects built from templates wherein templates define rules for object instantiation. Applicants respectfully assert that to the extent the Tonelli reference may mention rules defining object instantiation of a device icon on a screen, it does not net rules associated with communication devices. Applicant respectfully asserts a rule on how an icon is drawn on a screen does not teach net rules. The rules for drawing an image of an icon do not teach determining the characteristics of a communication device, comparing the results to a set of established net rules, and identifying net rule exceptions. The present Office Action also alleges that the Tonelli reference teaches that in accordance with the manufacturer's specifications, the device objects model the functionality of the corresponding network devices. Applicant respectfully asserts that to the extent the Tonelli reference may mention in accordance with the manufacturer's specifications, the device objects model the functionality of the corresponding network devices, the Tonelli reference does not teach comparing the results to a set of established net rules, and identifying net rule exceptions. Device objects modeling the functionality of the corresponding network devices in accordance with the manufacturer's specifications, may provide an indication of what a manufacture specification functionality is but does not indicate if that device or its functionality complies with a set of established net rules.

Regarding claim 24, the present Office Action indicates the Cowan reference teaches the audit tool identifies potential causes of problems. Applicant respectfully

asserts the Cowan reference does not teach identification of potential causes of problems. For example, one of the citations in the present Office Action [Col. 7 lines 1 –10] points to portions of the Tonelli reference that may mention that when the network design software is executed two default device palettes are display in the main application window, Applicant respectfully asserts the Tonelli reference does not teach identifying potential causes of problems.

Regarding claims 25, 30 and 37, the present Office Action acknowledges that the Cowan reference in view of the Chin reference fails to show providing a suggestive course of action for a problem. Applicant respectfully reasserts that the Cowan, Chin and/or Tonelli reference do not teach providing a suggested corrective course of action for a problem as claimed in the present Application. Applicant also respectfully asserts that even if the present Office Action indication that Cowan and Tonelli references teach an audit tool may identify mismatches thus preventing the user from making invalid connections is correct, the Cowan and Tonelli references do not teach providing suggested corrective course of action to the problem. Applicant respectfully asserts that identifying a mismatch may indicate that a connection is not compatible but does not provide a corrective course of action.

Thus, Applicant respectfully asserts the present Claimed invention is neither shown nor suggested by the Cowan, Chin nor Tonelli references, alone or together

Conclusion

In light of the above-listed amendments and remarks, Applicant respectfully requests allowance of the remaining Claims. The examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Date: 8/6, 2004

A handwritten signature in cursive script, appearing to read "John F. Ryan", written over a horizontal line.

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